

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MACAUTO U.S.A.
Petitioner

v.

BOS GMBH & KG
Patent Owner

Case IPR2012-00004 (TLG)
Patent 6,422,291 B1

Before HOWARD B. BLANKENSHIP, THOMAS L. GIANNETTI, and BRIAN
J. MCNAMARA, *Administrative Patent Judges*.

GIANNETTI, *Administrative Patent Judge*.

JUDGMENT
TERMINATION OF THE PROCEEDING
37 C.F.R. § 42.73

On February 8, 2013, the parties filed a joint motion (Paper No. 22) to terminate this trial proceeding. *See* 35 U.S.C. § 317(a); 37 C.F.R. § 42.72. With the motion, the parties filed a copy of the written settlement agreement (Exhibit A thereto) as well as a request to treat the settlement agreement as business confidential information under the provisions of 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

This trial was instituted on January 24, 2013, and is in the preliminary stages. The initial conference call with the Board to discuss the case has not been held. The proceeding was suspended to allow time for settlement. The co-pending district court litigation is being dismissed and the parties have represented that no other actions are pending. Under these circumstances the Board determines that it is appropriate to terminate the trial without rendering a final written decision. 37 C.F.R. § 42.72.

It is, therefore,

ORDERED that the joint motion to terminate the proceeding is GRANTED and the proceeding is hereby terminated;

FURTHER ORDERED that the parties' joint request that the settlement agreement be treated as business confidential information, kept separate from the file of the involved patents, and made available only to Federal Government agencies on written request, or to any person on a showing of good cause, under the provisions of 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), is GRANTED.

IPR2012-00004

Patent 6,422,291

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